

EXHIBIT 3

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6 UNITED STATES DISTRICT COURT

7 FOR DISTRICT OF NORTHERN CALIFORNIA

8 AURELIO MACIAL MATA

9 Case No.: C07-03915 HL

10 Plaintiff

vs.

11 ULRICO SERVICES ET AL

12 Defendants

13 I James Dal Bon declare under penalty of perjury by the laws of the State of California that the
 14 following is true and correct based upon my personal knowledge:

- 15 1) I am attorney of record for the Plaintiff in this case.
- 16 2) I had difficulty locating the defendants Ed Ulrick and Hal Flanders. When the
 Plaintiff came into my office he had difficulty spelling or pronouncing his employers'
 name.
- 17 3) I checked the California State Contractor's website at <http://www.cslb.ca.gov/> It does
 not list Hal Flanders or the Dafoe Company as licensed contractors. The same
 website does not list Ulrico Services or Ed Ulrick as licensed contractors during the
 time period covered by the complaint.
- 18 4) At the Case Management Conference in February 12, 2008 the Defense attorney for
 Bob Monsen presented me with copies of a series of contracts between himself and
 Defendants Ed Ulrick and Hal Flanders for the first time. The packet is more than 262
 pages long.

- 5) Plaintiff's Exhibit 4 is a true copy of two of those contracts.
- 6) On March 12, 2008 on behalf of other employees, I filed a state court complaint against Defendant Bob Monsen, Ed Ulrick and other Defendants for state and federal wage and hour violations in state court.
- 7) This time I was able to serve Defendant Ed Ulrick the new complaint after I discovered that Mr. Ulrick was hiring day laborers outside of Home Depot in Sunnyvale.
- 8) Plaintiff's Exhibit 5 is a true copy of the Proof of Service of the new complaint on Ed Ulrick of the second complaint.

April 22, 2008

s/jdb

James Dal Bon

Attorney for Plaintiff